

STATE OF TEXAS X

COUNTY OF BEXAR X

ORDINANCE #619

CITY OF CONVERSE X

AN ORDINANCE OF THE CITY OF CONVERSE ESTABLISHED FOR REGULATING MAINTENANCE AND APPEARANCE OF THE CITY IN ACCORDANCE WITH RECOGNIZED STANDARDS OF PROPERTY AND BUILDING UPKEEP FOR THE PURPOSE OF PROMOTING THE GENERAL WELFARE OF THE CITY OF CONVERSE, TEXAS AND SUPERSEDING OTHER ORDINANCES IN CONFLICT.

Whereas, the City Council of the City of Converse desires to protect property values and promote community pride as well as the general welfare; and,

Whereas, the City Council of the City of Converse desires to abate unsightly and dilapidated buildings and building components to avoid urban blight and severe property depreciation; and,

Whereas, the City Council of the City of Converse desires to ensure reasonable consideration, in determining the standards of maintenance and appearance within the City of Converse, Texas:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONVERSE, TEXAS:

SECTION 1. PURPOSE AND SCOPE:

A. PURPOSE OF ORDINANCE: The regulations herein established have been made for the purpose of promoting the general welfare of the community. They have been designed to promote community pride and to deter property depreciation. They have been made with reasonable consideration, among other things, to the character of the district, and its particular suitability for the particular uses, and with a view of conserving the value of buildings and land.

B. SCOPE OF ORDINANCE: The provisions of this chapter shall apply to all property within the City.

SECTION II. RESIDENTIAL DISTRICT:

A. MAINTENANCE: All lots must be maintained in a neat, tidy and trim condition at all times, whether or not improved. The owner and the occupants of any lot within the property have the responsibility of keeping the lot, buildings, improvements, appurtenances and landscaping in a well maintained, safe, clean and attractive condition at all times. All lots shall be maintained by the lot owners or occupants free of trash, trailers, disabled or junked vehicles, vehicle parts, junk, garbage or refuse of any nature, items covered by tarps do not constitute removal. All lot owners shall cut trim, and maintain lawns and plantings on their lots. Specific standards required are outlined below:

1. Playground equipment, basketball goals, other recreational or leisure items, trash cans, brush, or vegetation shall not block public right-of-way to include sidewalks, when not in use.
2. Garage doors visible from the public right-of-way shall be maintained in good condition; free of loose, missing or broken boards, windows, or posts. Metal doors shall be free of dents or damage that distort or impair the normal function of the door.
3. Paint shall be maintained in good condition. Paint shall be free of peeling or chipping that would expose five percent or more of the sub-layer of the building surface. Paint shall be free of color deterioration that results in five percent or more optical contrast (the contrast between the trim color and primary building color shall not be considered in evaluating deterioration or fading), and free of graffiti.
4. Roofs shall be maintained in good condition, free of visible holes, free of missing or curled shingles that show deterioration to more than 20 percent of the roof surface.
5. Fences are permitted providing that they are constructed of wood, stone, masonry, wrought iron, approved vinyl or galvanized chain link, or such materials designed to simulate wood, stone, masonry, wrought iron, approved vinyl or galvanized chain link. Fences in the required front yard area may not be higher than three (3) feet. Side or rear yard fences may not exceed 8 feet in height. Privacy fences visible from a public right-of-way at standing eye level shall be maintained in good condition; free of loose, missing or broken boards, post or other components, and not leaning to the point the top is one foot or more off plumb from the bottom. Where a fence in need of repair is on the boundary between private property and a public right-of-way, the home owner is solely responsible for the maintenance and appearance of the fence. Where a fence in need of repair is visible from a public right-of-way from standing eye level, but is on the boundary of two private properties, the home owners are jointly responsible for the maintenance and appearance of the fence.
6. Mailbox specifications are prescribed by the U.S. Postal Service: Compliance is required to receive their service. In addition to U.S. Postal Service requirements, mailboxes shall be maintained in good repair and owners are responsible for maintaining street side appearance such as mowing grass or weeds around the mailbox supports and keeping the mailbox support in good repair. All mailbox supports shall be maintained within ten (10) degrees of plumb. This means a bottom edge of the support may not be offset more than six (6) inches from a plumb line extended from the top of the same edge of the support. Additionally, all mailbox supports shall be kept free of broken pieces, jagged edges, splinters, and other maintenance deficiencies that could be hazardous to postmen or passing pedestrians. Mailbox supports may be constructed on an existing sidewalk; however, the existing sidewalk where the support is to be built shall be removed and a foundation shall be constructed if required, and, a new section of sidewalk, that will go around the new mailbox support, shall be constructed to the same specifications and dimensions as the existing sidewalk at the owner's expense.
7. Brush for city pickup will be collected during the third week of each month. Residents that require pickup must sign up at the City of Converse Water Department before noon

on the Friday prior. Brush MAY NOT be placed at curb side prior to the Friday before the Third week of the month.

8. “Junked Vehicle” means a vehicle that is self propelled and is:

A. Wrecked, dismantled or partially dismantled, or discarded or

B. Inoperable and has remained inoperable for more than:

1. 72 consecutive hours, if the vehicle is on public property; or
2. 30 consecutive days, if the vehicle is on private property; that
3. is detrimental to the safety and welfare of the public;
4. tends to reduce the value of private property;
5. invites vandalism;
6. creates a fire hazard;
7. is an attractive nuisance creating a hazard to the health and safety to minors;
8. produces urban blight adverse to the maintenance and continuing development of municipalities.

B. Carports.

1. Fundamental requirements:

a. Carports must be permanent structures. To be considered a permanent structure, the support beams must be set in concrete. The support beams must be either four by-four or larger wooden posts or three-inch diameter or larger galvanized steel posts, and may include a facade of brick or stone.

b. Carports must be adjacent to or attached to the residence or main building.

c. Carport roofing must be of galvanized metal, or of wood with composition shingle construction. Roofs shall be maintained in good condition, free of visible holes, free of missing or curled shingles that show a deterioration to more than 20 percent of the roof surface.

d. Carport trim and color must match the trim and color of the residence or main building. If the carport has siding, the siding must match the architecture and siding of the dwelling. Paint shall be maintained in good condition, free of peeling or chipping that would expose five percent or more of the sub-layer of the building surface, free of color deterioration that results in five percent or more optical contrast (the contrast between the trim color and primary building color shall not be considered in evaluating deterioration or fading), and free of graffiti.

2. Consideration of Variances:

a. Variances shall be judged on the basis of being a sensible exception to the general rules.

b. Request for Variances shall be considered on a case-by-case basis and judged on the merits of the case.

c. Medical conditions that degrade the ability of the resident to rapidly move from the driveway to the front door during inclement weather shall generally merit favorable consideration.

3. Grand-fathering of existing non-conformance:

a. Pre-existing carports that do not conform to the requirements of this Ordinance shall be exempt, providing that the owners meet the following two conditions:

(1) They must present a properly obtained building permit issued by the City of Converse prior to January 2003; and,

(2) They must present a properly obtained final inspection/approval for the permitted work issued by the City of Converse prior to June 2003.

b. For all carports properly grand-fathered, the provisions of Section II Residential District A. Maintenance apply. Additionally, any carport that is required to be rebuilt is no longer grand-fathered.

C. OBSTRUCTING VIEW OF TRAFFIC AND SIGNS: It shall be unlawful to place a fence, shrubs, or any other lawn decoration so as to obstruct the view of traffic approaching an intersection from either direction. It shall be unlawful to obstruct the view of street traffic from a driveway; or to obstruct the view of a stop sign or other traffic regulating or control sign. On corner lots, no fence nor shrubbery whose height is greater than thirty-six (36) inches may be allowed within the area created by a straight line connecting two points that are respectively thirty (30) feet along the front and side property lines from a street intersection. No fence, tree or shrub may be allowed to obstruct the view of the street sign or stop sign. No fence may be erected and no shrubbery may be planted on any lot whose height causes the view of the street from the driveway, or neighboring driveways, to be obstructed.

D. VEHICLES: No vehicles, trailers or boats shall be parked in an area that is visible from a public right-of-way at standing eye level of any residential premises except on the driveway, or in a carport. Limited exceptions are granted for washing and cleaning, not to exceed three (3) hours, and for packing, unpacking, or cleaning recreational vehicles not to exceed ninety-six (96) hours. No vehicles whatsoever shall be parked more than eight (8) hours on City owned, unimproved right-of-way at any time.

E. TRASH: Trash, garbage, or other waste incidental to the residential use shall be kept in sanitary containers. No trash, garbage, or other waste material shall be accumulated and retained on any lot. Each lot owner shall be responsible for the regular removal of such trash, garbage, or other waste from the lot.

F. TRASH CANS, BAGS, AND OTHER RECEPTACLES: trash cans, bags, and other receptacles shall not be visible from a public right-of-way at standing eye level except from 8 p.m. the day before trash pickup until 8 p.m. the day of trash pickup for the particular

residence. Following trash pickup, the trash cans and other receptacles shall be removed from sight in a timely manner. For those houses on corner lots, trash cans, bags, and other receptacles may be stored at the side of the main building and may be visible from a public right of way if no side or rear yard fence is present or if a chain link fence is present. Trash cans, bags, and other receptacles can be stored in side yards in an enclosed fence or structure. Covering the trash cans, bags and other receptacles with tarps will not satisfy the requirements for an enclosed fence or structure.

SECTION III. BUSINESS DISTRICT:

A. MAINTENANCE: All lots must be maintained in a neat, tidy and trim condition at all times, whether or not improved. The owner and the occupants of any lot within the property have the responsibility of keeping the lot, buildings, improvements, appurtenances and landscaping in a well maintained, safe, clean and attractive condition at all times. Specific standards required are outlined below:

1. The street address number shall be displayed prominently.
2. Signs shall be maintained in good condition, free of paint peeling or chipping that would expose five percent or more of the sub-layer of the sign surface, and free of graffiti.
3. Building paint shall be maintained in good condition, free of peeling or chipping that would expose five percent or more of the sub-layer of the building surface. Paint shall be maintained free of color deterioration that results in five percent or more optical contrast (the contrast between the trim color and primary building color shall not be considered in evaluating deterioration or fading), and free of graffiti.
4. Roofs shall be maintained in good condition, free of visible holes, free of missing or curled shingles that indicate deterioration to more than 20 percent of the roof surface.
5. Parking areas shall be kept clean and paved with asphalt, seal-coat, or concrete, and if painted, the paint shall be kept in good repair.
6. Fences, screening and greenbelts shall be considered as a part of the platting process and specified to best serve the needs of the business as well as the neighboring activities.

B. OBSTRUCTING VIEW OF TRAFFIC AND SIGNS: It shall be unlawful to place a fence, shrubs, or any other lawn decoration so as to obstruct the view of traffic approaching an intersection from either direction. It shall be unlawful to obstruct the view of street traffic from a driveway; or to obstruct the view of a stop sign or other traffic regulating or control sign. On a corner lots, no fence nor shrubbery whose height is greater than thirty-six (36) inches may be allowed within the area created by a straight line connecting two points that are respectively thirty (30) feet along the front and side property lines from a street intersection. No fence, tree or shrub may be allowed to obstruct the view of the street sign or stop sign. No fence may be erected and no shrubbery may be planted on any lot whose height causes the view of the street from the driveway, or neighboring driveways, to be obstructed.

C. TRASH: Each lot owner shall be responsible for the regular removal of such trash, garbage, or other waste from the lot.

SECTION IV I-1" LIGHT INDUSTRIAL DISTRICT:

A. A building or premises in this zoning district shall not be noxious or offensive because of the emission of odor, smoke, dust, noise, fumes, vibration or particulate matter.

B. MAINTENANCE: All lots must be maintained in a neat, tidy and trim condition at all times, whether or not improved. The owner and the occupants of any lot within the property has the responsibility of keeping the lot, buildings, improvements, appurtenances and landscaping in a well maintained, safe, clean and attractive condition at all times. Specific standards required are outlined below:

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4. Roofs shall be maintained in good condition, free of visible holes, free of missing or curled shingles that indicate deterioration to more than 20 percent of the roof surface.
5. Parking areas shall be kept clean and paved with asphalt, seal-coat, or concrete, and if painted, the paint shall be kept in good repair.
6. Fences, screening and greenbelts shall be considered as a part of the platting process and specified to best serve the needs of the industry as well as the neighboring activities.

C. OBSTRUCTING VIEW OF TRAFFIC AND SIGNS: It shall be unlawful to place a fence, shrubs, or any other lawn decoration so as to obstruct the view of traffic approaching an intersection from either direction. It shall be unlawful to obstruct the view of street traffic from a driveway; or to obstruct the view of a stop sign or other traffic regulating or control sign. On a corner lots, no fence nor shrubbery whose height is greater than thirty-six (36) inches may be allowed within the area created by a straight line connecting two points that are respectively thirty (30) feet along the front and side property lines from a street intersection. No fence, tree or shrub may be allowed to obstruct the view of the street sign or stop sign. No fence may be erected and no shrubbery may be planted on any lot whose height causes the view of the street from the driveway, or neighboring driveways, to be obstructed.

D. TRASH: Each lot owner shall be responsible for the regular removal of such trash, garbage, or other waste from the lot.

SECTION V. EXEMPTIONS:

The standards of this Ordinance shall not apply to properties that have been granted an Agriculture special use permit in accordance with the City of Converse Ordinance # 716.

SECTION VI. SEVERABILITY:

If any section, part of any section, or paragraph of this ordinance is declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force, or effect of any other section, or part of a section or paragraph of this Ordinance.

SECTION VII. ENFORCEMENT:

Enforcement of this ordinance shall be under the jurisdiction of the Converse Police Department. The Converse Police Department is authorized to enforce the provisions of this Ordinance against violations observed from a public right-of way, or against violations observed from private property if the officer was on private property at the invitation of the owner or tenant of the private property. The Converse Police Department MAY issue a 72 hour warning for the violation to be abated. If the violation is not abated, a citation MAY be issued.

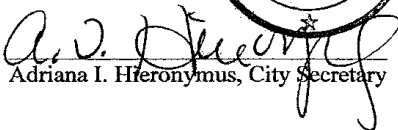
SECTION VIII. PENALTIES:

Any person violating this ordinance or any portion thereof shall upon conviction be guilty of a Class C misdemeanor and shall be fined not more than \$1,000.00. Each day such violation continues shall be considered a separate offense and punishable accordingly.

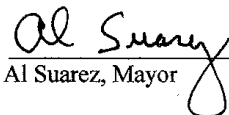
SECTION IX. SUPERCESSION: This Ordinance supersedes City of Converse Ordinance # 619 dated June 20th 2006.

PASSED AND APPROVED THIS THE 4th day of March, 2008.

ATTEST:


Adriana I. Hieronymus, City Secretary




Al Suarez, Mayor